1 JOHN S. LEONARDO United States Attorney District of Arizona FREDERICK A. BATTISTA 3 Maryland State Bar Member PETER S. SEXTON 4 Arizona State Bar No. 011089 JAMES R. KNAPP 5 Arizona State Bar No. 021166 Assistant U.S. Attorneys 6 Two Renaissance Square 40 North First Avenue, Suite 1200 Phoenix, Arizona 85004 Telephone: (602) 514-7500 8 Fred.Battista@usdoj.gov Peter.Sexton@usdoj.gov 9 James.Knapp2@usdoj.gov 10 UNITED STATES DISTRICT COURT 11 DISTRICT OF ARIZONA 12 13 United States of America, 14 Plaintiff, CR-08-814-001-PHX-DGC 15 **MOTION TO CONTINUE** v. STATUS HEARING 16 Daniel David Rigmaiden, 17 Defendant. 18 19 The United States, by and through its attorneys undersigned, respectfully requests that this 20 Honorable Court enter an order continuing the Status Hearing in this case, currently set for 21 Thursday, June 6, 2013, for a period of at least 21 days for the following reason. The parties are 22 continuing to actively communicate about the matters the Court wishes to address at the status 23 conference and wish additional time in order to be better prepared to advise Court about the 24 setting of further deadlines and a trial date in this case. Defendant DANIEL DAVID 25 RIGMAIDEN has no objection to this motion. 26 It is expected that excludable delay under 18 U.S.C. § 3161(h) may occur as a result of 27 this motion or an order based thereon. 28

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| 1 | Respectfully submitted this 5 th day of June, 2013. |
| 2 | JOHN S. LEONARDO |
| 3 | United States Attorney District of Arizona |
| 4 | |
| 5 | S/Frederick Battista |
| 6 | FREDERICK A. BATTISTA |
| 7 | PETER S. SEXTON JAMES R. KNAPP |
| 8 | Assistant U.S. Attorneys |
| 9 | |
| 10 | CERTIFICATE OF SERVICE |
| 11 | I hereby certify that on June 5, 2013, I caused the attached document to be electronically |
| 12 | transmitted to the Clerk's Office using the ECF system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant: |
| 13 | Philip Seplow Shaday Caynael for Defendant David Biomaiden |
| 14 | Shadow Counsel for Defendant Daniel David Rigmaiden |
| 15 | A copy of the attached document was also mailed to: |
| 16 | Daniel David Rigmaiden |
| 17 | Agency No. 10966111 CCA-CADC |
| 18 | PO Box 6300 Florence, AZ 85132 |
| 19 | |
| 20 | S/Frederick A. Battista |
| 21 | FREDERICK A. BATTISTA Assistant U.S. Attorney |
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